

CHAPTER 802

S.B. No. 776

AN ACT

relating to certain educational requirements applicable to the regulation of the practice of chiropractic.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subsection (a), Section 201.052, Occupations Code, is amended to read as follows:

(a) A person is not eligible to serve as a member of the board if the person:

- (1) is a member of the faculty or board of trustees of a chiropractic school *or a doctor of chiropractic degree program*;
- (2) is a stockholder in a chiropractic school or college; or
- (3) has a financial interest in a chiropractic school or college.

SECTION 2. Subsection (a), Section 201.159, Occupations Code, is amended to read as follows:

(a) The board shall preserve a record of its proceedings in a register that contains:

- (1) the name, age, place, and duration of residence of each applicant for a license;
- (2) the amount of time spent by the applicant in the study of chiropractic in respective *doctor of chiropractic degree programs* ~~[schools]~~; and
- (3) other information the board desires to record.

SECTION 3. Subsections (a) and (d), Section 201.302, Occupations Code, are amended to read as follows:

(a) An applicant for a license by examination must present satisfactory evidence to the board that the applicant:

- (1) is at least 18 years of age;
- (2) is of good moral character;
- (3) has completed 90 semester hours of college courses ~~[at a school]~~ other than *courses included in a doctor of chiropractic degree program* ~~[school]~~; and
- (4) is either a graduate or a final semester student of a bona fide reputable *doctor of chiropractic degree program* ~~[school]~~.

(d) Notwithstanding Subsection (a)(3), if the Council on Chiropractic Education or another national chiropractic education accreditation organization recognized by the board requires a number of semester hours of college courses ~~[at a school]~~ other than *courses included in a doctor of chiropractic degree program* ~~[school]~~ that is greater or less than the number of hours specified by that subsection to qualify for admission to a *doctor of chiropractic degree program* ~~[school]~~, the board may adopt the requirement of that organization if the board determines that requirement to be appropriate.

SECTION 4. Subsection (d), Section 201.303, Occupations Code, is amended to read as follows:

(d) A bona fide reputable *doctor of chiropractic degree program* ~~[school]~~ that satisfies Section 201.302(a)(4) is one that:

- (1) has entrance requirements and a course of instruction as high as those of a better class of *doctor of chiropractic degree programs* ~~[schools]~~ in the United States;
- (2) maintains a resident course of instruction equivalent to:
 - (A) not less than four terms of eight months each; or
 - (B) not less than the number of semester hours required by The University of Texas for a bachelor of arts or bachelor of science degree;
- (3) provides a course of instruction in the fundamental subjects listed in Section 201.305(b); and

(4) has the necessary teaching staff and facilities for proper instruction in all of the fundamental subjects listed in Section 201.305(b).

SECTION 5. Section 201.309, Occupations Code, is amended to read as follows:

Sec. 201.309. LICENSE ISSUANCE TO CERTAIN OUT-OF-STATE APPLICANTS. The board shall issue a license to practice chiropractic to an out-of-state applicant who:

(1) submits a written application to the board on a form prescribed by the board, accompanied by the application fee set by the board and any other information requested by the board;

(2) is licensed in good standing to practice chiropractic in another state or foreign country that has licensing requirements substantially equivalent to the requirements of this chapter;

(3) has not been the subject of a disciplinary action and is not the subject of a pending investigation in any jurisdiction in which the applicant is or has been licensed;

(4) has graduated from a *doctor of chiropractic degree program* [school] accredited by the Council on Chiropractic Education and approved by rule by the board;

(5) has passed a national or other examination recognized by the board relating to the practice of chiropractic;

(6) has passed the board's jurisprudence examination;

(7) has practiced chiropractic:

(A) for at least the three years immediately preceding the date of the application under this section; or

(B) as a chiropractic educator in [at] a *doctor of chiropractic degree program* [school] accredited by the Council on Chiropractic Education for at least the three years immediately preceding the date of the application under this section; and

(8) meets any other requirements adopted by rule by the board under this chapter.

SECTION 6. The change in law made by this Act applies to an applicant who files an application for a license under Chapter 201, Occupations Code, on or after the effective date of this Act. An applicant who files an application before that date is governed by the law in effect on the date the application was filed, and the former law is continued in effect for that purpose.

SECTION 7. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.

Passed the Senate on April 19, 2007: Yeas 30, Nays 0; the Senate concurred in House amendment on May 26, 2007: Yeas 30, Nays 0; passed the House, with amendment, on May 23, 2007: Yeas 144, Nays 0, two present not voting.

Approved June 15, 2007.

Effective June 15, 2007.

CHAPTER 803

S.B. No. 993

AN ACT

relating to nursing peer review and the regulation of the practice of nursing.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 301.002, Occupations Code, is amended by adding Subdivisions (1-a) and (1-b) to read as follows:

(1-a) "*Chief nursing officer*" means the registered nurse who is administratively responsible for the nursing services at a facility.